

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

|                                  |   |          |
|----------------------------------|---|----------|
| HARRISON L. SPENCER, et al.,     | ) |          |
|                                  | ) |          |
| Plaintiffs,                      | ) |          |
|                                  | ) |          |
| v.                               | ) | 1:15CV37 |
|                                  | ) |          |
| SUNTRUST MORTGAGE, INC., et al., | ) |          |
|                                  | ) |          |
| Defendants.                      | ) |          |

**JUDGMENT**

For the reasons set out in an Order filed contemporaneously with this Judgment,

IT IS ORDERED AND ADJUDGED that Defendant Brock & Scott, PLLC's Motion to Dismiss (ECF No. 22) for lack of jurisdiction is GRANTED to the extent that all claims against it are REMANDED to state court, that Defendant Select Portfolio Servicing, Inc.'s Motion to Dismiss (ECF No. 25) is GRANTED IN PART pursuant to Rule 12(b)(6), but that any claims challenging the state court foreclosure action are REMANDED to state court, and that Defendant SunTrust Mortgage, Inc.'s Motion to Dismiss (ECF No. 17) is GRANTED as to Counts VII, VIII, IX,X, XI, XII, XV, XVI, XVIII, and XXII pursuant to Rule 12(b)(6), and that the remaining Counts are REMANDED to state court.

This, the 30<sup>th</sup> day of September, 2015.

/s/ Loretta C. Biggs  
United States District Judge